

# ICI Americas Inc.

US EPA RECORDS CENTER REGION 5



Law Department  
General Section

April 22, 1988

Ms. Susan Swales 5 HE-12  
U. S. Environmental Protection Agency  
Region V  
Waste Management Division  
CERCLA Enforcement Section  
230 S. Dearborn Street  
Chicago, IL 60604

RE: Ninth Avenue Dump, Gary, Indiana  
U.S. Scrap Site, Chicago, Illinois

Dear Ms. Swales:

This is in response to your letter of March 9, 1988 to Stauffer Chemical, relative to the Ninth Avenue Dump in Gary, Indiana and the U.S. Scrap Site in Chicago, Illinois ("Sites"). We represent the interest of Stauffer Management Company, which was formed as a result of the recent divestiture of Stauffer Chemical.

From my telephone conversations with you and Edward Kowalski, office of Regional Counsel, I learned that Stauffer had been notified of potential liability with regard to the Sites as a result of a document from the owner/operator of the Sites that allegedly referred to a facility of Stauffer in Chicago Heights, Illinois. It is our understanding that there is no evidence or information linking any other facility of Stauffer to the Sites. For this reason, we have concentrated our investigation on the Chicago Heights facility in responding to your requests.

With regard to the Chicago Heights facility, Stauffer has conducted a search for the documents requested by the notice letter of March 9th relating to transportation, storage and/or disposal of waste by the businesses and persons identified therein. As a result of this search, we have determined that there are no documents referring to the Sites or to the businesses and persons identified in the notice letter. This is consistent with the records of Stauffer and recollections of knowledgeable Stauffer employees, which indicate that the Chicago Heights facility utilized the northern portion of its property for the disposal of industrial waste until approximately 1978. Only small amounts of waste were taken off-site during the relevant time period and any off-site disposal during that time period would have been to locations other than the above-referenced Sites and through transporters other than those identified in the notice letter. Accordingly, we submit that Stauffer has no information or documentation that would suggest that its Chicago Heights facility had any connection to the Sites or to the identified businesses and persons.

Moreover, we have found no information or documentation that would suggest that any facility of Stauffer at any time generated waste to the Sites or through any of the identified businesses or persons. Based upon knowledge and information, Stauffer never generated waste that would have been stored or disposed of at the Sites or transported by haulers to the Sites.

Based upon the foregoing, Stauffer responds to the specific requests for information as follows:

1. Stauffer has no knowledge of any person who arranged for transportation, disposal or treatment of waste materials to the Sites or through the identified businesses and persons. Based upon knowledge and information, the Chicago Heights facility of Stauffer at no time arranged for such transportation, disposal or treatment of waste materials.

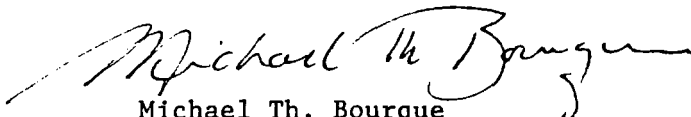
2. Stauffer does not possess documents responsive to the request of this paragraph. See response to paragraph 1.

3. During the period 1965 through 1977, Stauffer Chemical Company was provided with liability insurance coverage as follows:

Insurance Company of North America March 1, 1968 to January 1, 1969;  
Lloyds of London March 1, 1968 to January 1, 1971;  
Kemper Insurance Company January 1, 1969 to March 1, 1971;  
Travelers Indemnity Company March 1, 1971 to March 1, 1977.

Kindly forward to my attention any future correspondence to Stauffer Chemical with regard to this matter. If you have any questions regarding the foregoing, please do not hesitate to contact me.

Very truly yours,

  
Michael Th. Bourque  
Environmental Attorney

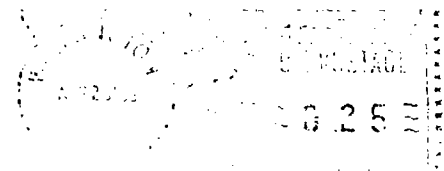
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ICI Americas Inc.

Wilmington, Delaware 19897



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